

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JACK P. KATZ, on behalf of himself and all)	
others similarly situated,)	
)	
Plaintiff,)	Case No. 08-CV-04035
)	Judge Darrah
v.)	
)	
ERNEST A. GERARDI, JR., RUTH ANN M.)	
GILLIS, NED S. HOLMES, ROBERT P.)	
KOGOD, JAMES H. POLK III, JOHN C.)	
SCHWEITZER, R. SCOT SELLERS,)	
ROBERT H. SMITH, STEPHEN R.)	
DEMERITT, CHARLES MUELLER, JR.,)	
CAROLINE BROWER, MARK)	
SCHUMACHER, ALFRED G. NEELY,)	
ARCHSTONE-SMITH OPERATING)	
TRUST, ARCHSTONE-SMITH TRUST,)	
LEHMAN BROTHERS HOLDINGS, INC.,)	
and TISHMAN SPEYER DEVELOPMENT)	
CORPORATION,)	
)	
Defendants.)	

PLAINTIFF'S MOTION TO REMAND

Plaintiff Jack P. Katz, by his attorneys, for the reasons set forth in the accompanying Memorandum of law, respectfully requests that this Court remand this Action to the Circuit Court of Cook County, Illinois.

DATED: July 23, 2008

JACK P. KATZ, individually and on behalf
of all persons similarly situated,

By: /s/ Edward A. Wallace

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Proposed Class*

CERTIFICATE OF SERVICE

I, Edward A. Wallace, hereby certify that a copy of *Plaintiff's Motion to Remand* was electronically filed. Those attorneys who are registered with the Electronic Filing System may access these filings through the Court's System, and notice of these filings will be sent to these parties by operation of the Court's Electronic Filing System. Those attorneys who are not registered with the Electronic Filing System will be served by First Class United States Mail, with proper postage prepaid, on the 24th day of July, 2008.

Date: July 23, 2008

/s/ Edward A. Wallace
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